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DIRECTOR

**WOOD COUNTY OFFICE OF  
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**WILLIAM SHOOK**  
DEPUTY DIRECTOR

June 6<sup>th</sup> 2019

Dear Senator/Delegate,

This correspondence is to address an issue that seems to have raised the ire of at least one member of the West Virginia House of Delegates who appears unaware of a major State agency realignment by letter of the Governor of West Virginia, which is clearly outlined in WV Code. The concern raised by the Delegate and the following correspondence and discussion gives us concern that other members of the Legislature may not be aware of what has taken place and potential concerns. The below information is for your information and the referenced letter is attached for your review.

On Friday, June 21, 2019, WV Emergency Management Council President Dean Meadows was approached by a sitting member of the WV House, who aggressively voiced their concern of not being aware of or notified that on October 3, 2018 a directive was issued under letterhead of and purportedly signed by Governor Jim Justice regarding the removal of the West Virginia National Guard (WVNG) and the Department of Homeland Security and Emergency Management (DHSEM) from the oversight of the Department of Military Affairs and Public Safety (DMAPS). This letter was sent to Cabinet Secretary Jeffery S. Sandy DMAPS, Maj. General James Hoyer WVNG and Director Jimmy Gianato DHSEM.

With this issue being raised by the Delegate and President Meadows, it raises concerns there may be other legislators, in both houses, who may not be aware of this action and its potential concerns.

To be perfectly clear the Emergency Management Council was unaware of the letter existence until a meeting held on April 24, 2019. It should be noted this is not an Executive Order but a simple letter, and no such order has been filed with the WV Secretary of State which effectively removed DHSEM from DMAPS oversight (as required by WV Code) and placing it under the subordinate Adjutant General and military control.

When being made aware of the letter members of the Emergency Management Council questioned the legality of such a letter as it is in direct conflict with West Virginia State Code, as well as the executive branch negating the actions of the legislative branch at the will of the executive.

In the 2019 legislative session SB 326 was introduced as a reorganization of government bill. SB 326 would have reorganized the WVNG and DHSM as outlined in the Governors letter and further contained a position of state resiliency officer/homeland security advisor who effectively would hold the same power as a deputy governor. This bill was strongly opposed by many public safety entities as written and was killed in committee.

While the issues are many more not outlined, the essence this letter is to inform you of a potential situation which seem many are unaware of as well as our continued concern in the lack of oversight in removing the WVNG and DHSEM from the DMAPS chain of command especially in a time when it is becoming more apparent each day this oversight is most assuredly needed.

If you have any further questions or concerns, please feel free to contact me. I sincerely hope you will continue to support the WV Emergency Management Council and our opposition to any reorganization of government structure which affects local emergency managers of this state without their input or counsel.

Thank you very much for your time and consideration of this matter.

A handwritten signature in blue ink, appearing to read "R. Woodyard", with a stylized flourish at the end.

Rick Woodyard, Director



*Jim Justice*  
*Governor of West Virginia*

October 3, 2018

Jeff S. Sandy, Cabinet Secretary  
Department of Military Affairs and Public Safety  
1900 Kanawha Blvd., E.  
Building 1, Room W-400  
Charleston, West Virginia 25305

MG James A. Hoyer, The Adjutant General  
State of West Virginia  
Office of the Adjutant General  
1703 Coonskin Drive  
Charleston, West Virginia 25311

Jimmy Gianato, Director  
West Virginia Division of Homeland Security  
and Emergency Management  
1703 Coonskin Drive  
Charleston, West Virginia 25311

**Re: Agency Realignment for Joint Emergency Response and Planning**

West Virginia needs to have a comprehensive and coordinated effort to respond to emergency and disaster situations to reduce the loss of life and property, lessen the impact of future disasters, respond quickly to save lives, protect property and the environment, meet basic human needs, and provide economic growth and resilience in the aftermath of a catastrophic incident. Paramount to such activities is coordinated planning, response, recovery and resiliency between the government agencies, first responders and other entities. Excessively complex and disjointed plans can be deficient and ineffective, exasperating a crisis situation and delaying recovery operation. Disjointed plans at a strategic level, can significantly degrade the integration and synchronization of the disaster response. The Adjutant General's Department is uniquely positioned with the personnel, equipment and experience to serve in such a role.

Accordingly, as of October 1, 2018, all West Virginia Division of Homeland Security and Emergency Management activities will fall under the direction and management of the Adjutant General's

OFFICE OF THE GOVERNOR

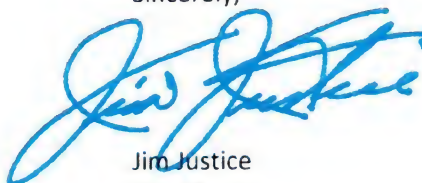
Jeff S. Sandy, Cabinet Secretary  
MG James A. Hoyer, The Adjutant General  
Jimmy Gianato, Director  
October 3, 2018  
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Department and West Virginia Military Authority. I am directing the Adjutant General to conduct all necessary reviews and audits to improve the efficiency and effectiveness of the West Virginia Division of Homeland Security and Emergency Management. Please make such recommendations which are necessary to effect that end.

I will work with my staff to introduce legislation which will make permanent these actions and will improve the efficiency and effectiveness of the West Virginia Division of Homeland Security and Emergency Management.

I am committed to West Virginia and to ensuring that our Government takes all actions to protect its people and their property. If disaster strikes, I assure you, we will stand ready to respond quickly and effectively.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Justice", is written over a faint, larger blue outline of the same signature.

Jim Justice  
Governor